

House Bill 630 (AS PASSED HOUSE AND SENATE)

By: Representative Anderson of the 117th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for a new charter for the City of Harlem, approved May 12, 2008
2 (Ga. L. 2008, p. 3654), so as to provide for a quorum; to provide that the mayor may be
3 counted in the determination of a quorum; to provide for the vote of the mayor on matters
4 before the city council; to provide for a veto by the mayor; to provide procedures for a veto
5 and for overriding such veto; to provide for related matters; to repeal conflicting laws; and
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act providing for a new charter for the City of Harlem, approved May 12, 2008
10 (Ga. L. 2008, p. 3654), is amended by revising subsection (a) of Section 2.21 as follows:

11 "(a) Three councilmembers or the mayor and two councilmembers shall constitute a
12 quorum and shall be authorized to transact business of the city council. Voting on the
13 adoption of ordinances shall be by voice vote and the vote shall be recorded in the journal,
14 but any member of the city council shall have the right to request a roll-call vote and such
15 vote shall be recorded in the journal. Except as otherwise provided in this charter, the
16 affirmative vote of a majority of the quorum shall be required for the adoption of any
17 ordinance, resolution, or motion."

18 **SECTION 2.**

19 Said Act is further amended by revising Section 2.22 by adding a new subsection to read as
20 follows:

21 "(c)(1) Every ordinance adopted by the councilmembers shall be presented promptly by
22 the city clerk to the mayor after its adoption.

23 (2) The mayor, within five calendar days of receipt of an ordinance, shall return it to the
24 city clerk with or without the mayor's approval or with the mayor's disapproval. If the
25 ordinance has been approved by the mayor, it shall become law upon its return to the city

26 clerk; if the ordinance is neither approved nor disapproved, it shall become law at 12:00
 27 Noon on the fifth calendar day after its adoption; if the ordinance is disapproved, the mayor
 28 shall submit to the councilmembers through the city clerk a written statement of the reasons
 29 for the veto. The city clerk shall record upon the ordinance the date of its delivery to and
 30 receipt from the mayor.

31 (3) Ordinances vetoed by the mayor shall be presented by the city clerk to the
 32 councilmembers at their next meeting. If the councilmembers then or at any subsequent
 33 meeting within the next 30 days adopt the ordinance by an affirmative vote of three
 34 councilmembers, it shall become law.

35 (4) The mayor may disapprove or reduce any item or items of appropriation in any
 36 ordinance. The approved part or parts of any ordinance making appropriations shall
 37 become law, and the part or parts disapproved shall not become law unless subsequently
 38 passed by the councilmembers over the mayor's veto as provided in this subsection. The
 39 reduced part or parts shall be presented to the councilmembers as though disapproved and
 40 shall not become law unless overridden by the councilmembers as provided in
 41 paragraph (3) of this subsection."

42 **SECTION 3.**

43 Said Act is further amended by revising Section 2.33 as follows:

44 "The mayor shall:

- 45 (1) Preside at all meetings of the city council;
- 46 (2) Be the head of the city for the purpose of service of process and for ceremonial
 47 purposes and be the official spokesperson for the city and the chief advocate of policy;
- 48 (3) Have power to administer oaths and to take affidavits;
- 49 (4) Sign as a matter of course on behalf of the city all written and approved contracts,
 50 ordinances, and other instruments executed by the city which by law are required to be
 51 in writing;
- 52 (5) Be counted toward the constitution of a quorum if only two councilmembers are
 53 present;
- 54 (6) Vote on matters coming before the city council in the case of a tie vote among the
 55 members of the city council; and
- 56 (7) Have the right to veto matters passed by the city council as provided in subsection (c)
 57 of Section 2.22."

58 **SECTION 4.**

59 All laws and parts of laws in conflict with this Act are repealed.